

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION

ROBERT RAY YOUNG,)
)
)
Plaintiff,)
)
)
v.) Case No.: 09-6061-CV-SJ-HFS
)
)
MISSOURI DEPARTMENT OF HEALTH)
AND SENIOR SERVICES, et al.,)
)
)
Defendants.)

ORDER

This is a *pro se* case filed by an apparently mentally-challenged plaintiff. Two defendant doctors seek dismissal for failure to state a claim (doc. #46), pursuant to my invitation (in Doc. #32) and the State agency and a State employee have also filed a motion to dismiss (Doc. #49). Although given time to respond to the motions, plaintiff has failed to do so.

The papers filed by plaintiff are largely incomprehensible. *See* Docs. #5 and #28. Dr. Fadare is “not mentioned” and there is no “comprehensible complaint against Dr. Mahmood”, as they contended earlier. The State agency is similarly not mentioned as a party to misconduct.

Defendant Stacy Thomas is sued as a State employee and author of a letter to which plaintiff objects. There is no comprehensible claim of a violation of Federal law even if one could dream up some sort of State law claim. Pleadings like this are subject to dismissal. White v. United States, 588 F.2d 650 (8th Cir. 1978); Cofield v. Williams, 1997 WL 68271 (C.A.D.C.); Olgun v. Atherton, 215 F.3d 1337, 2000 WL 757727 (10th Cir.).

Plaintiff cannot process a lawsuit without articulating some violation of law by a named defendant that would be within the jurisdiction of this court. The complaint against each defendant

will therefore be DISMISSED without prejudice and the pending motions (Docs. #46 and #49) will be GRANTED. SO ORDERED.

/s/ Howard F. Sachs
HOWARD F. SACHS
Senior United States District Judge

August 25, 2011

Kansas City, MO